

January 22, 1999



OFFICE OF THE  
ATTORNEY GENERAL  
STATE OF TEXAS

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JOHN CORNYN  
Attorney General

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Mr. Richard Brown  
Assistant City Attorney  
Criminal Law and Police Division  
City of Dallas  
City Hall  
Dallas, Texas 75201

OR99-0212

Dear Mr. Brown:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 121456.

The City of Dallas Police Department (the "department") received a request for a copy of a certain police report and "any other case number relating to this incident." You seek to withhold the requested information under sections 552.101 and 552.108 of the Government Code.

Section 552.101 requires withholding *inter alia* information made confidential by statute. In conjunction with section 552.101, you reference section 261.201(a) of the Family Code, which provides:

(a) The following information is confidential, is not subject to public release under Chapter 552, Government Code, and may be disclosed only for purposes consistent with [the Family] code and applicable federal or state law or under rules adopted by an investigating agency:

(1) a report of alleged or suspected abuse or neglect made under . . . chapter [261 of the Family Code] and the identity of the person making the report; and

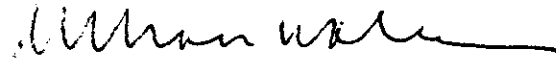
(2) except as otherwise provided in this section, the files, reports, records, communications, audiotapes,

videotapes, and working papers used or developed in an investigation under . . . chapter [261 of the Family Code] or in providing services as a result of an investigation.

In our opinion, the information you submitted as responsive to the request is subject to section 261.201(a). As you have not informed this office that the department has adopted any rules providing for release of this information, we conclude that you must withhold it in its entirety. Since we have resolved this request under section 261.201(a), we need not address your other claimed exception to disclosure.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



William Walker  
Assistant Attorney General  
Open Records Division

WMW/ch

Ref: ID# 121456

Enclosures: Submitted documents

cc: Mr. W. J. Englett  
Corporate Security  
4098 McEwen Road, #44C  
Dallas, Texas 75244  
(w/o enclosures)